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September 8, 2020

**VIA ECF**

Honorable Mark Falk, U.S.M.J.  
United States District Court  
District of New Jersey  
Frank R. Lautenberg U.S. P.O. & Courthouse  
1 Federal Square, Room. 457  
Newark, New Jersey 07101

**Re: 1266 Apartment Corporation d/b/a/ Horizon House, Inc. v.  
Greater New York Mutual Insurance Company  
Civil Action No: 2:17-CV-12796(CCC) (MF)**

Dear Judge Falk:

As Your Honor is aware, this firm represents plaintiff 1266 Apartment Corporation d/b/a Horizon House, Inc. ("Plaintiff" or "Horizon") with respect to the above-referenced action against defendant Greater New York Mutual Insurance Company ("Defendant" or "GNY"). As Your Honor is further aware, the Court has been engaged in ongoing separate calls with the parties to discuss the prospect of settlement of this matter.

The opening experts' reports have been exchanged. Plaintiff's reply expert reports are currently due to be served today, September 8, 2020 and Defendant will have an opportunity to submit a sur-reply thereafter. In the event that the above-referenced settlement discussions do not culminate in a resolution of this litigation, Plaintiff respectfully requests that the Court schedule a Case Management Conference to address an adjournment of the deadline for Plaintiff's reply expert reports. Additionally, Plaintiff believes that a Case Management Conference is necessary to discuss an issue which has arisen with respect to Defendant's expert report and which may need to be addressed in Plaintiff's expert report. The parties have met and conferred regarding same but were unable to resolve the issue and thus require the Court's assistance. During the requested Case Management Conference, we respectfully request that the enclosed proposed Ninth Amended Scheduling Order be discussed and entered by the Court.



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Should Your Honor have any questions, or wish to discuss, we are available.

Respectfully submitted,

**GENOVA BURNS LLC**

*s/Lauren W. Gershuny*

**LAUREN W. GERSHUNY**

LWG:tc

Enclosure

c: Jeffery T. LaRosa, Esq. (via ECF filing)  
Conlee Whiteley, Esq. (via electronic mail)



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